

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

TRANSLATION
PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:		Date of mailing (day/month/year)
Applicant's or agent's file reference P36422-P0		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/JP2004/017724	International filing date (day/month/year) 29.11.2004	Priority date (day/month/year) 09.12.2003
International Patent Classification (IPC) or both national classification and IPC		
Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.		

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input checked="" type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I Basis of this opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

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Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	1 - 16	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1 - 16	NO
Industrial applicability (IA)	Claims	1 - 16	YES
	Claims		NO
2. Citations and explanations:			
<p>Document 1: JP, 2003-345674, A (Matsushita Electric Industrial Co., Ltd.), 5 December, 2003 (05.12.03), [0028], [0030], [Fig. 1], [Fig. 2] (Family: none)</p> <p>Document 2: JP, 2002-342256, A (Hitachi, Ltd.), 29 November, 2002 (29.11.02), full text, all drawings, & WO, 2002-93390, A1, & US, 2004-0122984, A1</p> <p>Document 3: JP, 61-228549, A (Ricoh Co., Ltd.), 11 October, 1986 (11.10.86), [Fig. 7] (Family: none)</p> <p>Document 4: JP, 3-37540, U (Yokogawa Medical System K.K., presently named GE Yokogawa Medical System Ltd.), 11 April, 1991 (11.04.91), full text, all drawings (Family: none)</p> <p>Document 5: JP, 2000-115258, A (NEC IC Microcomputer System Ltd.), 21 April, 2000 (21.04.00), full text (especially see the description of [0002] and [0003]), all drawings (Family: none)</p> <p>The subject matters of claims 1-16 do not appear to involve an inventive step in view of documents 1-5 cited in the ISR. Documents 1 and 2 respectively describe an IC card connected with a host device by (1) a command/response line and (2) a data line used to transmit and receive data as required after a command and a response have been transmitted and received through the command/response line, in which a data with a predetermined length is divided into blocks with an adequate length for data transmission and reception.</p> <p>On the other hand, documents 3-5 respectively describe a technical idea in which information concerning a communication function is exchanged between a data transmission side and a data reception side before data transfer, to divide the data into blocks smaller than the buffer size, to prevent buffer overflow.</p> <p>Furthermore, it is a conventional means to let a device capable of transmitting and receiving data have a buffer memory. Though documents 1 and 2 do not describe the constitution of a buffer memory, the IC cards described in the documents are also considered to have a buffer memory to be used for transmitting and receiving data as a matter of course.</p> <p>A person skilled in the art could have employed the usually known technical idea described in documents 3-5, in which transfer data is divided into blocks smaller than the buffer memory size beforehand lest the buffer memory should overflow during data transfer, to the IC card described in document 1 or 2, in which data is transmitted and received in the order of [command]-[response]-[data], to ensure that (1) before data is transmitted or received actually, a command for inquiring the data capacity of the buffer memory is sent, and (2) after the capacity of the buffer memory is informed, the size of the divided blocks is decided to be smaller than the capacity of the buffer memory, for transmitting the data.</p>			

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Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

Moreover, such an IC card, in which in order to confirm that the buffer memory does not overflow during data transfer, (1) an adequate block size is transmitted to a host device, (2) the block size sent from the host based on the block size is compared with the capacity of the buffer memory, and (3) in the case where the block size is larger than the capacity of the buffer memory, an error is sent to the host device, is a mere matter of design variation that a person skilled in the art could have employed as required.

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Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

Japanese characters meaning to the effect that "... characterized in that ... the time point ... is transmitted to an electronic device" must be an error for Japanese characters meaning to the effect that "... characterized in that ... the time point when ... is transmitted to an electronic device."